

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>CRIMINAL NO. 3:16-143</b>
<b>v.</b>	:	
	:	<b>(JUDGE MANNION)</b>
<b>LOUIS ELMY,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

Based on the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1)** To the extent defendant Elmy's motion is one for compassionate release, (**Doc. 57**), it is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction since he has failed to comply with §3582(c)(1)(A)'s exhaustion requirement.
- (2)** To the extent defendant Elmy's motion, (**Doc. 57**), can be alternatively construed as a motion for immediate release to home confinement under the CARES Act, it is **DISMISSED** since the court lacks authority to grant such relief under the Act.

*s/ Malachy E. Mannion*

**MALACHY E. MANNION**  
**United States District Judge**

**DATE: August 3, 2020**

16-143-02-Order